

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 08-2452

In re: 2007 Novastar Financial Inc., Securities Litigation,

Robert W. Boyd, III, Individually and on behalf of all others similarly situated; Bruce Gilmore;
Steven J. Gedy; Norman Pelletier; James E. Murphy, on behalf of himself and all others similarly
situated,

Plaintiffs

Dr. Kevin Lester,

Plaintiff - Appellant

Joshua Brown; Merri-Jo Hillaker; Charles McComb; Lois McComb; William Weakley; Alan
James Bima, Individually and on behalf of all others similarly situated; Gary M. Tanner; Lee M.
Edison; Jack F. Dunbar, on behalf of himself and all others similarly situated; Durston
Winesburg, on behalf of himself and all others similarly situated; Michael Owens, on behalf of
himself and all others similarly situated,

Plaintiffs

v.

Novastar Financial, Inc.; Scott F. Hartman; W. Lance Anderson; Gregory S. Metz,

Defendants - Appellees

Appeal from U.S. District Court for the Western District of Missouri - Kansas City
(4:07-cv-00139-ODS)

JUDGMENT

This appeal from the United States District Court was submitted on the record of the
district court, briefs of the parties and was argued by counsel.

After consideration, it is hereby ordered and adjudged that the judgment of the district
court in this cause is affirmed in accordance with the opinion of this Court.

September 01, 2009

Order Entered in Accordance with Opinion:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans